

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-22949 of 2016 (O&M)
Date of decision : 15.07.2016

Jeet Singh @ Jeetu and anr.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Vinod Kumar.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.24 dated 27.03.2016, registered under Sections 15 and 25 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS') at Police Station Khuian Sarwar, District Fazilka.

The learned counsel appearing for the petitioners contends that the petitioners have been falsely implicated in the present case. He submits that the petitioners are in custody since 27.03.2016 and not involved in any other case under NDPS Act, which fact is not disputed by the learned State counsel. Lastly, he states that the quantity in question is non-commercial and the weight of the bag has also been

included.

On the other hand, the learned State counsel oppose the bail petition.

I have heard the learned counsel for the parties and perused the record.

In view of the facts that the petitioners are not involved in any other case under NDPS Act, he is in custody since 27.03.2016 and the alleged quantity included the weight of the bag also, no purpose would be served in keeping the petitioners behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail, on their furnishing bail bonds/surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.7.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**